

416 3d PCT/PTO 14 MAR 2000

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

R

7636-0013.10

09/102,845

U.S. APPLICATION NO.

5071 FIRST NAMED APPLICANT

PCT/US98/0232

DEHLINGER & ASSOCIATES

PO BOX 60850

PALO ALTO CA 94306

INTERNATIONAL APPLICATION NO.

04/10/98

04/11/97

I.A. FILING DATE

PRIORITY DATE

01/10/98

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),

☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 10-12-99 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Verified Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report and copies of the references cited therein

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: 703 308-9117

RECEIVED

JAN 18 2000

DEHLINGER & ASSOCIATES, LLP

JACKETED FOR



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

9/402845

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
----------------------	-----------------------	------------------

09/402,845

LAUS

DEHLINGER & ASSOCIATES
PO BOX 60850
PALO ALTO CA 94306



INTERNATIONAL APPLICATION NO. 7636-0013.10

I.A. FILING DATE PCT/US88/17232

DATE MAILED: 04/10/98 04/11/97
01/10/00

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or city and foreign country of residence or each inventor.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

Paula Burton
Telephone: 703 308-9117

pet sector
\$

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date: 3-9-00

By: [Signature]

Docket No. 7636-0013.10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

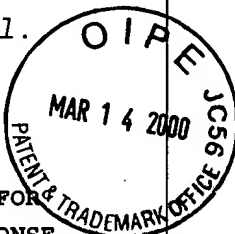
IN RE APPLICATION OF:

Reiner Laus, et al.

SERIAL No.: 09/402,845

FILED: April 10, 1998

FOR: COMPOSITION AND METHOD FOR
INDUCING AN IMMUNE RESPONSE
AGAINST TUMOR-RELATED ANTIGENS



EXAMINER: Unknown

ART UNIT: Unknown

Response to Notice to File Missing
Parts of Application

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. In response to the Notice to File Missing Parts mailed January 10, 2000 (copy enclosed), applicant submits the following:

- ☒ A Petition for 1-Month Extension of Time
- ☒ Four Executed Declarations of Inventorship
- ☒ A Power of Attorney by Assignee
- ☒ A copy of a previously submitted Verified Statement Claiming Small Entity Status
- ☒ a copy of an assignment recordation cover sheet (Form PTOL-1595) for an assignment being filed separately.

03/28/2000 JKURTZ1 00000015 09402845

01 FC:254

03/28/2000 JKURTZ1 00000015 09402845

02 FC:215

65.00 DP

55.00 DP

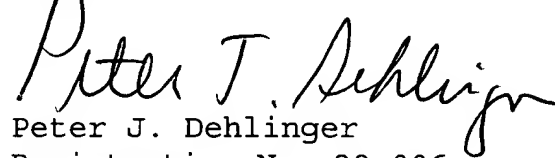
2. Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time if necessary for timely filing of this Response.

3. Fee Payment

- ☒ Enclosed is a check for \$120.00, the surcharge for late filing of declaration or oath (\$65.00), and the 1-month extension fee (\$55.00).
- ☐ Please charge the above fee(s) to Deposit Account No. 04-0531; this paper is provided in triplicate.
- ☒ Please charge any underpayment for timely filing of this Response to Deposit Account No. 04-0531.

Respectfully submitted,


Peter J. Dehlinger

Registration No. 28,006

Date: 3-9-00

Correspondence Address:

Dehlinger & Associates
P.O. Box 60850
Palo Alto, CA 94306
Phone: (650) 324-0880
Customer No. 22918